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PATRIOT SCIENTIFIC CORPORATION

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN JOSE DIVISION

17 ACER, INC., ACER AMERICA
18 CORPORATION and GATEWAY, INC.,

19 Plaintiffs,

20 v.

21 TECHNOLOGY PROPERTIES LIMITED,
PATRIOT SCIENTIFIC CORPORATION, and
22 ALLIACENSE LIMITED,

23 Defendants.

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Attorneys for Plaintiffs ACER, INC., ACER
AMERICA CORPORATION and
GATEWAY, INC.

Case No. 5:08-cv-00877 JF

**STIPULATION REGARDING
DEFERRAL OF CASE
MANAGEMENT CONFERENCE
UNTIL AUGUST 1, 2008**

24 WHEREAS, Plaintiffs Acer, Inc., Acer America Corporation, and Gateway, Inc.
25 (collectively, "Plaintiffs") filed a complaint against Defendants Technology Properties Limited
26 ("TPL"), Patriot Scientific Corporation ("Patriot"), and Alliacense Limited (collectively,
27 "Defendants") for declaratory judgment of patent noninfringement and invalidity of U.S. Letters
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1 Patent Nos. 5,809,336 ("the '336 patent"), 5,784,584 ("the '584 patent"), 5,440,749 ("the '749
2 patent");

3 WHEREAS, Defendants TPL and Patriot filed complaints for patent infringement as to
4 these three patents and U.S. Letters Patent No. 6,598,148 ("the '148 patent") in the Eastern
5 District of Texas, Case Nos. 2-08cv-173 and 2-08cv-176 (TJW);

6 WHEREAS, Defendants filed a motion to dismiss or in the alternative to transfer the
7 action to the Eastern District of Texas, which is noticed for hearing for August 1, 2008;

8 WHEREAS, the parties' Case Management Conference was scheduled for May 30, 2008;

9 WHEREAS, on May 20, 2008, the parties agreed to defer discovery and the Case
10 Management Conference;

11 WHEREAS, on May 22, 2008, the Court entered the parties' proposed order deferring
12 discovery and setting the Case Management Conference on July 18, 2008;

13 WHEREAS, on May 23, 2008, the Court entered an order in related case numbers 5:08-
14 cv-00882 and 5:08-cv-00884, scheduling the Case Management Conferences in those actions for
15 August 1, 2008; and

16 WHEREAS, the parties agree that judicial economy would be best served by conducting
17 all three related Case Management Conferences on the same day;

18 IT IS HEREBY STIPULATED THAT:

19 (1) The July 18, 2008 Case Management Conference is hereby deferred to August 1,
20 2008 at 10:30 a.m.

21 Dated: June 2, 2008

KIRKPATRICK & LOCKHART PRESTON
GATES ELLIS LLP

23 By: /s/ Timothy P. Walker
24 Timothy P. Walker

25 Attorneys for Plaintiffs ACER, INC.,
26 ACER AMERICA CORPORATION and
27 GATEWAY, INC.

28 *[SIGNATURES CONTINUED ON NEXT PAGE]*

1 Dated: June 2, 2008

FARELLA BRAUN & MARTEL LLP

2
3 By: /s/ John L. Cooper
John L. Cooper

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5 Attorneys for Defendants
TECHNOLOGY PROPERTIES LIMITED
6 and ALLIACENSE LIMITED
7

8 Dated: June 2, 2008

KIRBY NOONAN LANCE & HOGE, LLP

9
10 By: /s/ Charles T. Hoge
Charles T. Hoge

11
12 Attorneys for Defendants
PATRIOT SCIENTIFIC CORPORATION

13 PURSUANT TO STIPULATION IT IS SO ORDERED:

14 Dated: _____

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17 The Honorable Jeremy Fogel
United States District Court Judge
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